

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE: NATIONAL COLLEGIATE ATHLETIC ASSOCIATION STUDENT- ATHLETE CONCUSSION INJURY LITIGATION THIS DOCUMENT RELATES TO:	MDL NO. 2492 Judge John Z. Lee Magistrate Judge Brown 4:13-cv-02434 (E.D. Missouri)
<i>Washington, et al.</i> v. National College Athletic Assoc.,	

**WASHINGTON PLAINTIFFS' JOINDER OF *WALKER* AND *MORGAN*
PLAINTIFFS' MOTION TO TEMPORARILY ENJOIN THE ONGOING
ARRINGTON MEDICAL MONITORING CLASS SETTLEMENT
NEGOTIATIONS WITH DEFENDANT NCAA**

Pursuant to Rule 23(a)(4) of the Federal Rules of Civil Procedure, Plaintiffs in the case of *Washington, et al. v. NCAA*, 4:13-cv-02434 (E.D. Missouri), consolidated before this Court as part of MDL No. 2492, join in the motion filed by the *Walker* and *Morgan* Plaintiffs on January 31, 2014 (Dkt. # 5) and respectfully request that this Court temporarily enjoin the ongoing medical monitoring class settlement negotiations between Plaintiffs in *Arrington, et al. v. NCAA*, 1:11-cv-06356 (N.D. Ill.) and Defendant NCAA.

Washington Plaintiffs seek modification of the ongoing medical monitoring class settlement negotiations to ensure that any negotiations are structured to fairly and adequately, and independently, represent the interest of former NCAA football players who played before 2004 and former NCAA football players who played in 32 states (all states *not* listed in the *Arrington* medical monitoring class certification motion

(*Arrington*, Dkt. # 175 at p. 20)). *Washington* class representatives Sharron D.

Washington II and Anthony VanZant both played college football from 1987 to 1991 as teammates on the University of Missouri football team. Thus, Mr. Washington and Mr. VanZant are excluded from the *Arrington* medical monitoring class definition because they played before 2004.

To avoid redundancy with previously filed motions, *Washington* Plaintiffs are respectfully incorporating by reference the pending Motion to Temporarily Enjoin the Ongoing *Arrington* Medical Monitoring Class Settlement Negotiations With Defendant NCAA previously filed by the *Walker and Morgan* Plaintiffs in the consolidated case, Case No. 1:13-cv-09116 (Dkt. # 5, 6, and 6-1). *Washington* Plaintiffs respectfully incorporate as though fully set forth herein the motion and memorandum in support because *Washington* Plaintiffs are similarly situated as plaintiffs in the *Walker* and *Morgan* cases.

Wherefore, the foregoing reasons and the incorporated motion and memorandum by the *Walker* and *Morgan* Plaintiffs (Dkt. # 5, 6 and 6-1), *Washington* Plaintiffs join in the motion filed by the *Walker* and *Morgan* Plaintiffs on January 31, 2014 (Dkt. # 5) and respectfully request that this Court temporarily enjoin the *Arrington* medical monitoring class settlement negotiations, and provide structural assurances of fair representation for former players before 2004 and former players from 32 states.

Date: February 3, 2014

Respectfully Submitted,

/s/ Daniel T. DeFeo

Daniel T. DeFeo
The DeFeo Law Firm, LLC
924 Main Street
Lexington, MO 64067
Telephone: (660) 259-9806
Facsimile: (660) 259-9809
ddefeo@defeolaw.com

and

/s/ Thayer L. Weaver, Jr.

Thayer L. Weaver, Jr.
TLW & Associates, LLC
3216 Locust Blvd.
St. Louis, MO 63103
Telephone: (314) 531-4747
Facsimile: (314) 531-4749
TLWeaver@TLW-Law.com

Counsel for Washington Plaintiffs

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on the 3rd day of February, 2014, a true and correct copy of the above and foregoing was served by electronic mail upon all attorneys of record.

/s/ Daniel T. DeFeo